

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JACK REESE, FRANCES ELAINE
PIDDE, JAMES CICHANOFSKY,
ROGER MILLER, and GEORGE
NOWLIN,

Plaintiffs,

v.

CNH GLOBAL N.V. and CNH
AMERICA LLC,

Defendants.

Case 2:04-cv-70592-PJD-PJK

Hon. Patrick J. Duggan, U.S.D.J.

Hon. Paul J. Komives, U.S. Mag. J.

**CNH’S WITHDRAWAL OF ITS
CONTINGENT MOTION TO COMPEL RESPONSES
BY PLAINTIFFS’ EXPERTS TO DOCUMENT SUBPOENAS**

CNH hereby withdraws its contingent motion to compel responses by Plaintiffs’ expert witnesses to document subpoenas issued to them (R. 395). As explained in that motion, CNH issued its subpoenas—which sought the same type of “mission” documents that Plaintiffs sought to compel from Scott Macey, one of CNH’s experts—in an abundance of caution. (R. 395, CNH’s Contingent Mot. Compel 1–2.) On January 31, the Magistrate ruled on Plaintiffs’ motion to compel regarding Mr. Macey and did not require Mr. Macey to provide the “mission” documents sought by Plaintiffs. (R. 404, Order 14–19.) That ruling was correct, and the time has passed for Plaintiffs to object to it. *See* Fed. R. Civ. P. 72(a).

Accordingly, no further purpose exists for CNH's contingent motion, and the company withdraws it.

Dated: March 5, 2014

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on March 5, 2014, I electronically filed the foregoing **CNH's Withdrawal of Its Contingent Motion To Compel Responses by Plaintiffs' Experts to Document Subpoenas** with the Clerk of the Court using the ECF system which will send notification of such filing to all ECF participants.

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